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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,110	12/06/2000	Jeffrey L. Strunk	19336-1574001	7941

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EXAMINER

LE, DUY K

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/731,110

Applicant(s)

STRUNK ET AL.

Examiner

Duy K Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to amendment filed on December 31, 2003.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 11-12, 15-16, 18-19, and 22-23 rejected under 35 U.S.C. 102(b) as being anticipated by Rossmann (U.S. Patent 5,809,415).

As to claim 11 (new), Figure 5 in Rossmann shows a system for providing a directory of contact information for telecommunications devices, said system comprising:

means (500) for interfacing with one or more telecommunications service provider stations to collect contact information from said telecommunications service provider stations (Figure 5 in Rossmann shows the airnet network translator (500) interfacing via Internet with stock quote service provider (141), company data base (542) and other server provider (543)); and

a central network station (500) connected to said means for interfacing to receive said contact information, said central network station including means for allowing access to said contact information ("airnet network translator 500 collects transaction and billing information concerning the communication between the two-way data communication device and the designated computer network. Specifically, airnet network translator 500 provides access control

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for paying services and a logging mechanism for billing. Airnet network translator 500 can also provide a directory service to users” (Col. 19, lines 60-67). Figure 2B in Rossman further shows a menu with “Directory of Services” as a menu item that users can choose and receive information).

As to claim 12 (new), the Rossmann reference discloses the system of claim 11 wherein said means for interfacing includes a router switch station (“airnet network translator 500 transfers data between the two-way data communication device and the selected computer network after translator 500 validates the communication path, as explained more completely below, and encrypts the message transferred to the computer network if necessary. In addition, airnet network translator 500 collects transaction and billing information concerning the communication between the two-way data communication device and the designated computer network” (Col. 19, lines 55-63)).

As to claim 15 (new), Figure 5 in Rossmann shows the system of claim 11 wherein said means (500) for interfacing interfaces with one or more wireless telecommunications service provider stations and collects contact information for wireless telecommunications devices (Figure 5 in Rossman shows the airnet network translator (500) interfacing via Internet with stock quote service provider (141), company data base (542) and other server provider (543). “Airnet network translator 500 collects transaction and billing information concerning the communication between the two-way data communication device and the designated computer network. Specifically, airnet network translator 500 provides access control for paying services and a logging mechanism for billing. Airnet network translator 500 can also provide a directory

service to users” (Col. 19, lines 60-67). Figure 2B in Rossman further shows a menu with “Directory of Services” as a menu item that users can choose and receive information).

As to claim 16 (new), Figure 5 in Rossmann shows the system of claim 11 wherein said central network station (500) includes means for storing said contact information (“airnet network translator 500 collects transaction and billing information concerning the communication between the two-way data communication device and the designated computer network. Specifically, airnet network translator 500 provides access control for paying services and a logging mechanism for billing. Airnet network translator 500 can also provide a directory service to users” (Col. 19, lines 60-67). Figure 2B in Rossman further shows a menu with “Directory of Services” as a menu item that users can choose and receive information).

As to claim 18 (new), Figure 5 in Rossmann shows a method for providing a directory of contact information for telecommunications devices, said method comprising:

providing means for interfacing with one or more telecommunications service provider stations (Figure 5 in Rossman shows the airnet network translator (500) interfacing via Internet with stock quote service provider (141), company data base (542) and other server provider (543));

using said means for interfacing to collect contact information from one or more telecommunications service provider stations; and providing access to said contact information via a central network station (“airnet network translator 500 collects transaction and billing information concerning the communication between the two-way data communication device and the designated computer network. Specifically, airnet network translator 500 provides access control for paying services and a logging mechanism for billing. Airnet network translator 500

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can also provide a directory service to users” (Col. 19, lines 60-67). Figure 2B in Rossman further shows a menu with “Directory of Services” as a menu item that users can choose and receive information)).

As to claim 19 (new), the Rossmann reference discloses the method of claim 18 wherein said means for interfacing includes a router switch station (“airnet network translator 500 transfers data between the two-way data communication device and the selected computer network after translator 500 validates the communication path, as explained more completely below, and encrypts the message transferred to the computer network if necessary. In addition, airnet network translator 500 collects transaction and billing information concerning the communication between the two-way data communication device and the designated computer network” (Col. 19, lines 55-63)).

As to claim 22 (new), the Rossmann reference discloses the method of claim 18 wherein collecting contact information includes collecting contact information for wireless telecommunications devices from one or more wireless telecommunications service provider stations (Figure 5 in Rossman shows the airnet network translator (500) interfacing via Internet with stock quote service provider (141), company data base (542) and other server provider (543). “Airnet network translator 500 collects transaction and billing information concerning the communication between the two-way data communication device and the designated computer network. Specifically, airnet network translator 500 provides access control for paying services and a logging mechanism for billing. Airnet network translator 500 can also provide a directory service to users” (Col. 19, lines 60-67). Figure 2B in Rossman further shows a menu with “Directory of Services” as a menu item that users can choose and receive information).

As to claim 23 (new), the Rossmann reference discloses the method of claim 18 further comprising storing said contact information in said central network station ("airnet network translator 500 collects transaction and billing information concerning the communication between the two-way data communication device and the designated computer network. Specifically, airnet network translator 500 provides access control for paying services and a logging mechanism for billing. Airnet network translator 500 can also provide a directory service to users" (Col. 19, lines 60-67). Figure 2B in Rossman further shows a menu with "Directory of Services" as a menu item that users can choose and receive information).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 13, 14, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,809,415 to Rossmann in view of Dreke et al. (U.S. Patent Application Publication 2002/0035594 A1).

As to claims 13 and 20 (new), the Rossmann reference discloses the system of claim 11 and the method of claim 18. However, it does not disclose means for interfacing poll said telecommunications service provider stations at selectable frequencies. The Dreke reference teaches means for interfacing poll said telecommunications service provider stations at selectable frequencies ("either the server periodically pushes presence information to each interested user

via the user's client computer (as in the AOLTM system) or the user uses a client computer to periodically poll the server to receive the presence information" (page 1, col. 2, lines 1-5).

"Frequent polls from the client computer to the server are employed so that newly connecting users receive updated presence information in a timely manner" (page 1, col. 2, lines 6-10).

"Each user polls the server every 90 seconds to check for the presence of another user" (page 1, col. 2, lines 18-19). "The present invention is not limited to the Internet. Any network would suffice. In addition to tracking peers, the present invention is also intended to keep track of devices, people and services" (page 2, col. 1, paragraph [0014], lines 5-8)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system and method of Rossmann wherein means for interfacing poll said telecommunications service provider stations at selectable frequencies, as taught by Dreke, in order to receive updated contact information in a timely manner.

As to claims 14 and 21 (new), the Rossmann reference discloses the system of claim 11 and the method of claim 18. However, it does not disclose means for interfacing poll said telecommunications service provider stations one or more times per day. The Dreke reference teaches means for interfacing poll said telecommunications service provider stations one or more times per day ("either the server periodically pushes presence information to each interested user via the user's client computer (as in the AOLTM system) or the user uses a client computer to periodically poll the server to receive the presence information" (page 1, col. 2, lines 1-5). "Frequent polls from the client computer to the server are employed so that newly connecting users receive updated presence information in a timely manner" (page 1, col. 2, lines 6-10). "Each user polls the server every 90 seconds to check for the presence of another user" (page 1,

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col. 2, lines 18-19). "The present invention is not limited to the Internet. Any network would suffice. In addition to tracking peers, the present invention is also intended to keep track of devices, people and services" (page 2, col. 1, paragraph [0014], lines 5-8)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system and method of Rossmann wherein means for interfacing poll said telecommunications service provider stations one or more times per day, as taught by Dreke, in order to receive updated contact information in a timely manner.

6. Claims 17 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,809,415 to Rossmann in view of Thorner et al. (WO 98/56158).

As to claims 17 and 24 (new), the Rossmann reference discloses the system of claim 16 and the method of claim 23. However, it does not explicitly disclose the central network station includes means for enabling a device user to enter data and update certain stored contact information. The Thorner reference teaches the central network station includes means for enabling a device user to enter data and update certain stored contact information ("the database 3 could also comprise an extra database portion 3' in which customers could add data regarding themselves and/or write corrected data or temporary data regarding telephone number or the like. This database 3' is not intended to be monitored by the monitor 9 but could be used as means for making updating more often (for instance every week) than once a year when telephone books are normally updated. It could be possible to let a customer for instance place a certain mark at the data regarding him, even if he is not allowed to make any other amendments in the electronic phone book as represented by the database 3. The presence of such a mark instructs the search motor to search in the database portion 3'" (page 10, line 23 to page 11, line 2)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system and method of Rossmann wherein the central network station includes means for enabling a device user to enter data and update certain stored contact information, as taught by Thorner, in order to allow customers to add data regarding themselves and/or write corrected data or temporary data regarding telephone number or the like.

Response to Arguments

7. Applicant's arguments with respect to claims 11-24 have been considered but are moot in view of the new ground(s) of rejection.

With respect to new independent claims 11 and 18, as cited by examiner in Office Action, the Rossmann does teach or suggest the claimed means for interfacing with one or more telecommunications service provider stations to collect contact information. Figure 5 in Rossmann shows the airnet network translator (500) interfacing via Internet with stock quote service provider (141), company data base (542) and other server provider (543). Rossmann discloses "airnet network translator 500 collects transaction and billing information concerning the communication between the two-way data communication device and the designated computer network. Specifically, airnet network translator 500 provides access control for paying services and a logging mechanism for billing. Airnet network translator 500 can also provide a directory service to users" (Col. 19, lines 60-67). Figure 2B in Rossmann further shows a menu with "Directory of Services" as a menu item that users can choose and receive information.

With respect to new claims 12 and 19, as cited by examiner in Office Action, Rossmann does teach using a router switch station.

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With respect to new claims 13, 14, 20, and 21, as cited by examiner in Office Action, Dreke et al. teaches polling to collect telecommunication information and inherently, telecommunication contact information ("either the server periodically pushes presence information to each interested user via the user's client computer (as in the AOLTM system) or the user uses a client computer to periodically poll the server to receive the presence information" (page 1, col. 2, lines 1-5). "Frequent polls from the client computer to the server are employed so that newly connecting users receive updated presence information in a timely manner" (page 1, col. 2, lines 6-10). "Each user polls the server every 90 seconds to check for the presence of another user" (page 1, col. 2, lines 18-19). "The present invention is not limited to the Internet. Any network would suffice. In addition to tracking peers, the present invention is also intended to keep track of devices, people and services" (page 2, col. 1, paragraph [0014], lines 5-8)).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy K Le whose telephone number is 703-305-5660. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Duy Le
April 2, 2004


EDWARD F. URBAN
SUPERVISOR
APR 2 2004